

APPENDIX B

Inspection Resource Analysis & Plan for Additional Inspection Resources

Overview & Purposes. The Alaska Department of Environmental Conservation (DEC) will conduct an APDES inspection resources analysis and develop a plan for the purposes of identifying, securing and mobilizing the APDES compliance and enforcement (C&E) program staff resources (i.e. full time employee equivalents (FTEs)) and supporting resources (e.g. inspection travel budgets) that are needed to meet EPA's Compliance Monitoring Strategy (CMS) inspection goals and DEC Program Description inspection commitments for all APDES facilities for post-2014 APDES inspection plans in conjunction with a vigorous C&E program that takes timely and appropriate enforcement actions.

Inspection Resource Analysis and Plan for Additional Inspection Resources Schedule.

- By April 1, 2014, DEC initiates the inspection resource analysis.
- By May 15, 2014, DEC reports status of initial evaluations and findings to EPA for review and comment.
- By August 1, 2014, DEC completes final analysis report and plan and submits report/plan to EPA.

Inspection Resource Analysis Elements. The analysis must include at least the following elements:

1. Assess current and future projected DEC C&E Program inspection and enforcement capacities and capabilities.
2. Assess current and future projected inspection workloads based on existing and projected permitted facility universes, future DEC APDES permit program efforts, adherence to and implementation of DEC Program Description commitments and EPA CMS goals and the implementation of a vigorous C&E program (item 3 below). Projected DEC inspection workloads should include estimates of significant industrial users' (SIUs) sampling inspections based on DEC's state-wide IU survey in whatever stage it is during this analysis.
3. Assess current and future projected enforcement workloads based on the implementation of a vigorous C&E program that takes timely and appropriate enforcement actions in concert and balance with the resources needed to meet EPA's CMS inspection goals and DEC Program Description commitments (inspection related) for all APDES facilities for post-2014 APDES inspection plans.
4. Assess past and projected future non-APDES workloads (i.e. state program work) that are implemented by APDES C&E staff and the projected effects on abilities of staff to

complete APDES C&E inspection work and to initiate and complete timely and appropriate enforcement actions.

5. Assess current DEC C&E Program staff inspection training to determine if additional training or other procedural revisions and improvements are needed to maximize efficiencies and staff's inspection capabilities.
6. Assess effects on inspection workloads and C&E actions of the limitation that only Environmental Program Specialist IV (EPS IV) can work on case development and completion of formal enforcement actions (e.g. COBCs, ESOs, compliance orders).
7. Identify and project what staff capacity (FTEs) and related resources (e.g. inspection travel and equipment budgets, etc.) and related prospective SFY budgets that are needed to fully implement APDEC inspection plans that meet EPA CMS inspection goals and DEC Program Description commitments (inspection related) for all APDES facilities for post-2014 APDES inspection plans in conjunction with a vigorous C&E program that takes timely and appropriate enforcement actions.

Plan for Additional Inspection Resources, The plan must include at least the following:

1. Propose and implement a detailed plan for the addition of staff FTEs and sufficient related budgets (e.g. training, additional inspection travel budget, etc.), recommendations and critical path schedules to ensure the DEC C&E Program can meet EPA CMS inspection goals and related DEC Program Description inspection related commitments in CY 2015 and subsequent years for all APDES facilities in conjunction with the implementation of a vigorous C&E program that takes timely and appropriate enforcement actions.
2. Identify specific legislative budget proposals in the plan to accomplish the purposes of this analysis for the DEC's SFY 2015 and, if applicable, subsequent SFY budgets.

Performance Benchmarks. EPA will close this Inspection Resource Analysis & Plan for Additional Inspection Resources requirement after determining that DEC has successfully:

- (1) Implemented the final report and plan's remedial measures and recommendations and eliminated or effectively addressed root causes and related performance limiting factors;
- (2) Procured and secured adequate APDES C&E program staff FTEs and supporting inspection travel and related budgets needed to meet EPA CMS inspection goals and DEC Program Description commitments (inspection related) for all APDES facilities for post-2014 APDES inspection plans in conjunction with the implementation of a vigorous C&E program that takes timely and appropriate enforcement actions; and
- (3) Met EPA CMS inspection goals and DEC Program Description commitments (inspection related) for all APDES facilities for three consecutive calendar years.